



**CITY OF SUNNYVALE
REPORT
Administrative Hearing**

April 26, 2006

SUBJECT: **2006-0285 - Greg Mussallem** [Applicant] **Virginia J. Mardesich Trustee** [Owner]: Application for a on a 16,300 square-foot site located at **563 Alberta Avenue** (near Sunnyvale-Saratoga Rd) in an R-2/PD (Low-Medium Density Residential/Planned Development) Zoning District.

Motion Parcel Map to allow a four-lot subdivision.

REPORT IN BRIEF

Existing Site Conditions Single-Family Home

Surrounding Land Uses

North Single-Family Home

South Duplex

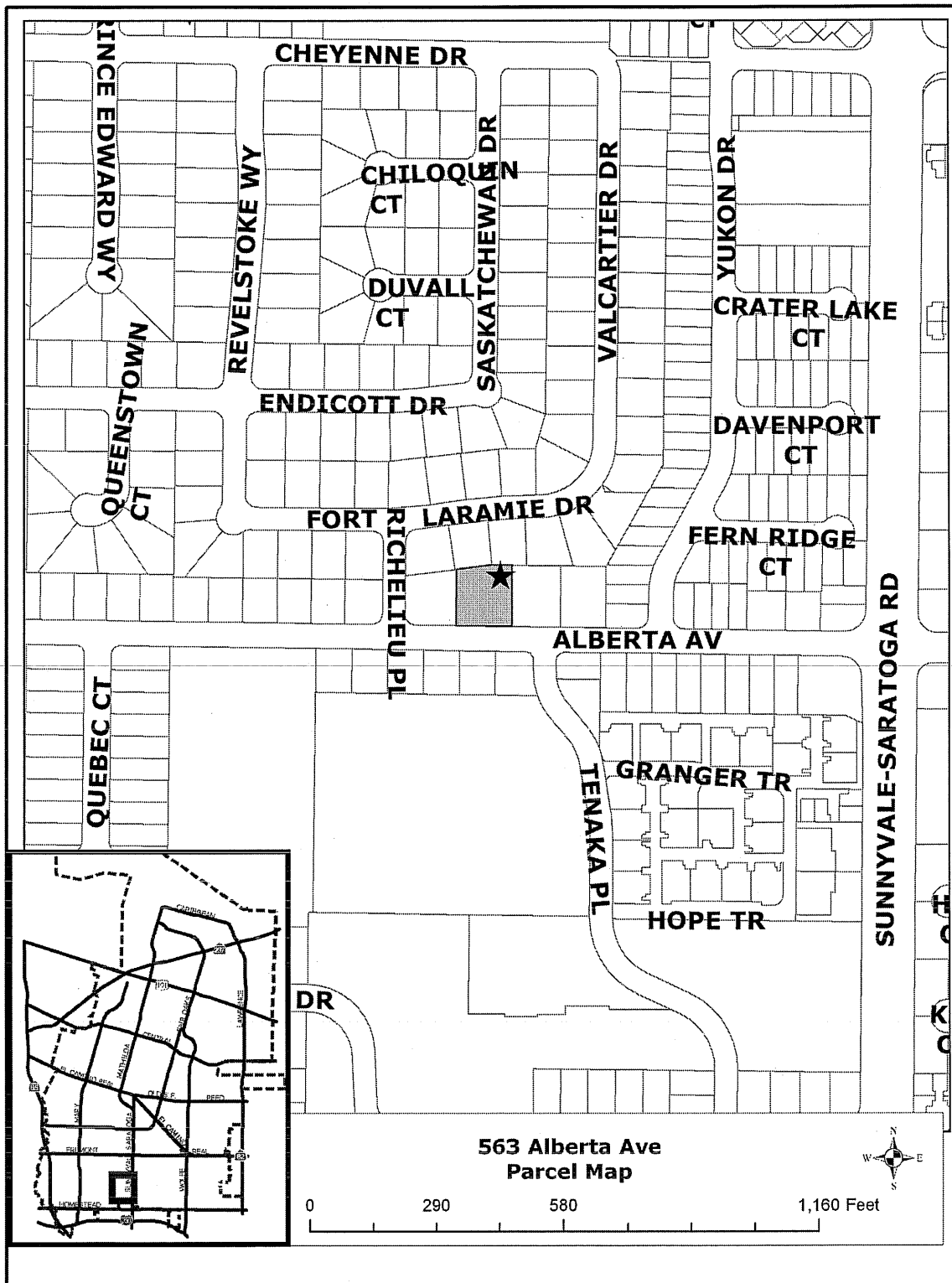
East Fourplex

West Single-Family Home

Issues Lot Size

Environmental Status A Class 15 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

Staff Recommendation Approve with Conditions



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Residential Low Medium Density	Same	Residential Low Medium Density
Zoning District	R-2/PD	Same	R-2/PD
★ Lot Size	16,300	Parcel 1: 3,997 Parcel 2: 4,300 Parcel 3: 3,999 Parcel 4: 4,004	8,000 (PD Zoning allows for lot size deviation)

★ Starred items indicate deviations from Sunnyvale Municipal Code requirements.

ANALYSIS**Description of Proposed Project**

The proposal is to allow a four-lot subdivision of one lot currently occupied by a single-family home. A Special Development Permit and Rezoning application was approved at this site by the City Council on March 21, 2006.

Background

Previous Actions on the Site: The following table summarizes previous planning applications related to the subject site.

File Number	Brief Description	Hearing/Decision	Date
2005-1009	Rezone & Special Development Permit to construct 4 new single-family homes	City Council/ Approved	3/21/06

Environmental Review

A Class 15 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. Class 15 Categorical Exemptions include the division of property in urbanized areas zoned or residential use into four or fewer parcels.

Tentative Map

Site Layout: The existing layout of the site consists of a single-family home on a 16,300 square foot lot. The proposal is to subdivide the lot into four lots of similar size. Four new single-family homes would be constructed on the individual lots (per approval of Special Development Permit, 2005-1009). A central access drive would allow for vehicular access to each of the units.

Easements and Undergrounding: A common ingress and egress easement to allow for vehicular access is proposed along the center of the existing lot and would continue 90 feet toward to the north

Compliance with Development Standards/Guidelines: The four newly created lots would not meet minimum lot size standards for the R-2 Zoning District. However, the Planned Development (PD) Zoning of the site, allows for a deviation of lot size for the individual lots provided that density requirements are met. The minimum density for the R-2 Zoning District is 1 unit per 3,600 square feet. This deviation is common to allow for individual ownership lots and was approved through the Special Development Permit (2005-1009) by City Council on March 21, 2005.

Expected Impact on the Surroundings: There are no expected impacts as a result of this subdivision proposal. The impacts associated with the approved development of the site are noted in the staff report of 2005-1009 approved by City Council on March 21, 2006.

Parcel Map

Description of Parcel Map: The applicant proposes to subdivide an existing lot containing one single-family home into four lots. As a result of the approved Special Development Permit, four new single-family homes would be constructed on the individual lots. An ingress/egress easement is proposed to extend 90 feet north towards the center of the lot from the Alberta frontage. This area will be paved to allow for a common drive aisle for access to each lot.

Fiscal Impact

Consistent with the Special Development Permit approval (2005-1009), the project will be subject to a Transportation Impact fee of \$5,419.09 per Condition of Approval #3A. A Park Dedication Fee of \$40,837.52 (\$10,209.38 per unit) is required prior to approval of a Final Map per Condition of Approval #3B.

Public Contact

No public input was received on this proposal.

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none">• Published in the <i>Sun</i> newspaper• Posted on the site• 6 notices mailed to property owners and residents adjacent to the project site	<ul style="list-style-type: none">• Posted on the City of Sunnyvale's Website• Provided at the Reference Section of the City of Sunnyvale's Public Library	<ul style="list-style-type: none">• Posted on the City's official notice bulletin board• City of Sunnyvale's Website

Conclusion

Findings and General Plan Goals: Staff was able to make the required Findings based on the justifications for Parcel Map. Findings and General Plan Goals are located in Attachment A.

Conditions of Approval: Conditions of Approval are located in Attachment B.

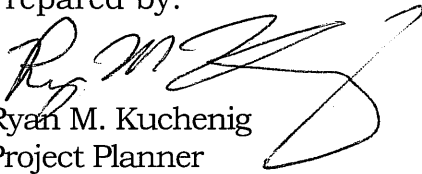
Alternatives

1. Approve the Parcel Map with attached conditions.
2. Approve the Parcel Map with modified conditions.
3. Deny the Parcel Map.

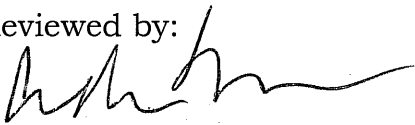
Recommendation

Alternative 1

Prepared by:


Ryan M. Kuchenig
Project Planner

Reviewed by:


Andrew Miner
Principal Planner

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Site Plans

Recommended Findings - Tentative Map

In order to approve the Tentative Map, the proposed subdivision must be consistent with the general plan. Staff finds that the Tentative Map is in conformance with the General Plan. However, if any of the following findings can be made, the Tentative Map shall be denied. Staff was not able to make any of the following findings and recommends approval of the Tentative Map.

1. That the subdivision is not consistent with the General Plan.
2. That the design or improvement of the proposed subdivision is not consistent with the General Plan.
3. That the site is not physically suitable for the proposed type of development.
4. That the site is not physically suitable for the proposed density of development.
5. That the design of the subdivision or proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.
8. That the map fails to meet or perform one or more requirements or conditions imposed by the "Subdivision Map Act" or by the Municipal Code

Staff was not able to make any of the findings (B.1-8), and recommends approval of the Tentative Map.

Recommended Conditions of Approval – Parcel Map

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. GENERAL CONDITIONS

- A. Project shall be in conformance with the plans approved at the public hearing(s). Minor changes may be approved by the Director of Community Development, major changes may be approved at a public hearing.
- B. The Parcel Map shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date.
- C. Comply with all requirements of previously approved Special Development Permit File Number 2005-1009.
- D. To address storm water runoff pollution prevention requirements, an Impervious Surface Calculation worksheet is required to be completed and submitted for the California Regional Water Quality Control Board prior to issuance of a Building Permit.

2. COMPLY WITH OR OBTAIN OTHER PERMITS

- A. Obtain necessary permits from the Development Permit from the Department of Public Works for all proposed off-site improvements.

3. FEES (per SDP approval 2005-1009)

- A. Pay Traffic Impact fee estimated at \$5,419.09, prior to issuance of a Building Permit. (SMC 3.50)
- B. Pay Park In-lieu fees estimated at \$10,209.38, prior to approval of the Final Map or Parcel Map. (SMC 18.10)

4. RIGHT-OF-WAY IMPROVEMENTS

- A. Obtain a Development Permit from the Department of Public Works for improvements.

- B. Curbs, gutters, sidewalks, streets, utilities, traffic control signs, electroliers (underground wiring) shall be designed, constructed and/or installed in accordance with City standards prior to occupancy. Plans shall be approved by then Department of Public Works.
- C. Remove and replace sidewalk along the entire frontage.
- D. All driveways must be constructed to current City standard specifications.

5. UNDERGROUND UTILITIES

- A. All existing and proposed utilities shall be undergrounded.

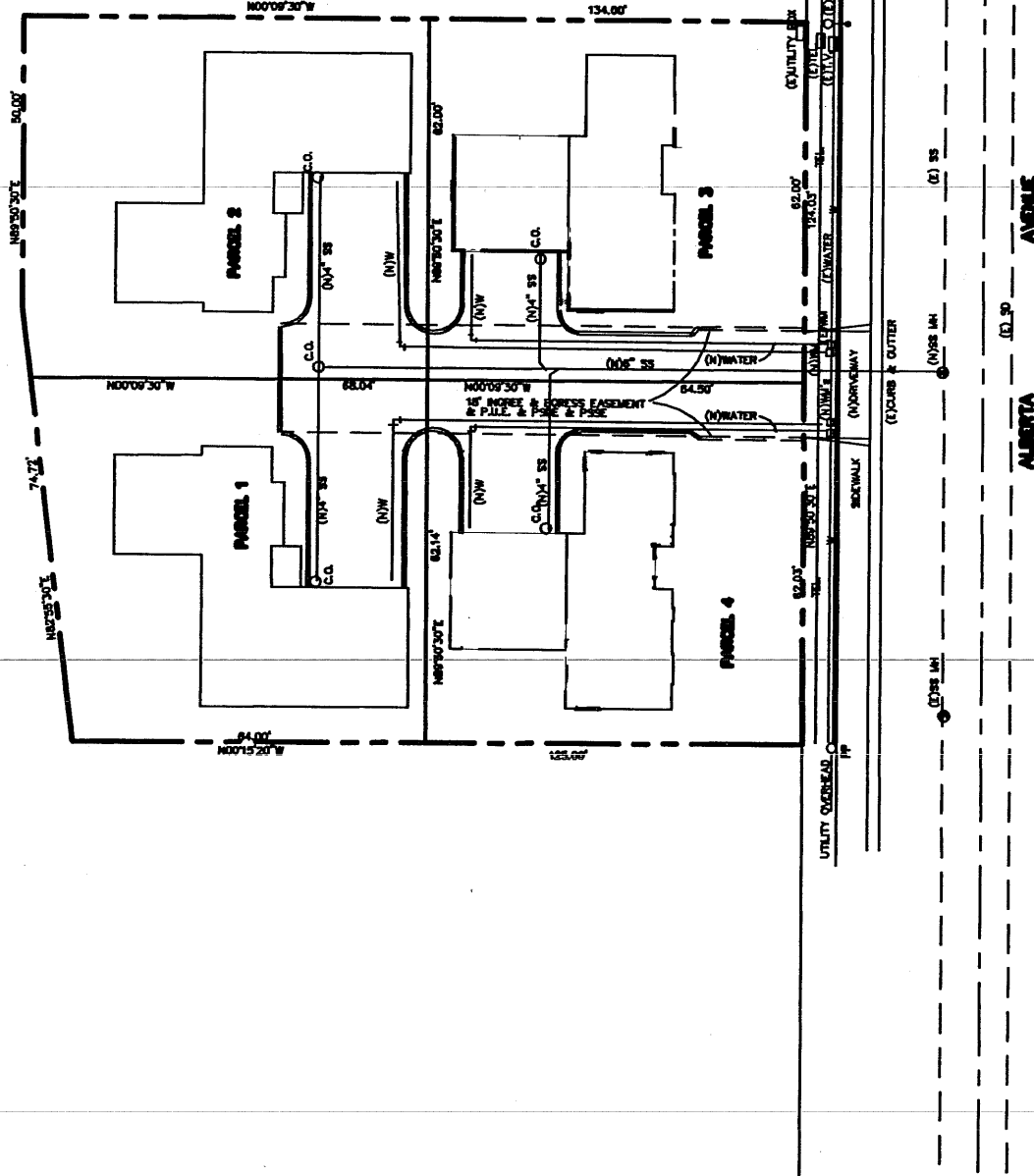
6. TENTATIVE MAP CONDITIONS

- A. Full development fees shall be paid for each project parcel or lot shown on Parcel Map and the fees shall be calculated in accordance with City Resolutions current at the time of payment.
- B. Comply with all applicable code requirements as noted in the Standard Development Requirements.
- C. Pay Park In-lieu fees estimated at \$10,209.38, prior to approval of the Final Map or Parcel Map. (SMC 18.10)
- D. At the expense of the subdivider, City staff shall install required street trees of a species determined by the Public Works Department.

SUNNYVALE

QAO FILE 000730





LEONARDI 888-8888

CATCH BASIN
STORM DRAIN
SANITARY SEWER
WATER
CLEANOUT
POWER POLE
EXISTING
NEW

GRAPHIC SCALE

(14 INCHES)
1 inch = 20 ft.



